

APPEAL NO. 043280  
FILED FEBRUARY 7, 2005

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on September 15, 2004. The only disputed issue at the CCH was the appellant's (claimant) impairment rating (IR). The claimant contended that his IR is 24% as reported by a treating doctor. The respondent (self-insured) contended that the IR is 10% as reported by the designated doctor chosen by the Texas Workers' Compensation Commission (Commission). The hearing officer decided that the claimant's IR could not be determined because the Commission needed to correspond with the designated doctor regarding Commission Advisory 2003-10, signed July 22, 2003. The self-insured appealed the hearing officer's determination. In Texas Workers' Compensation Commission Appeal No. 042521, decided December 6, 2004, the Appeals Panel reversed the hearing officer's decision and remanded the case to the hearing officer for the hearing officer to seek clarification from the designated doctor and to determine the claimant's IR. The hearing officer's decision on remand reflects that the Commission corresponded with the designated doctor, that the designated doctor amended the IR to 29%, and that the amended IR report was sent to the parties. In the decision on remand, the hearing officer determined that the claimant's IR is 29% in accordance with the designated doctor's amended report. The claimant filed with the Commission a copy of the Commission's "Appeal Rights and Procedures" letter with a handwritten notation on it stating his name and "I want to Appeals [sic]. My Hearing." The self-insured responds that the document filed by the claimant is insufficient to qualify as an appeal, and requests that we affirm the hearing officer's decision.

DECISION

The hearing officer's decision on remand that the claimant's IR is 29% has become final under Section 410.169 because the document filed by the claimant is insufficient to constitute an appeal.

The document filed by the claimant fails to state any disagreement with the hearing officer's decision on remand that is in his favor. We have no idea what it is the claimant wants to appeal. The document filed by the claimant simply fails to meet the requirements of Section 410.202(c). See Texas Workers' Compensation Commission Appeal No. 031331, decided July 14, 2003, wherein it was noted that while the Appeals Panel has liberally construed Section 410.202(c), a document that failed to state any disagreement or dispute with the hearing officer's decision could not be considered a request for review under that section.

The jurisdiction of the Appeals Panel has not been properly invoked. The hearing officer's decision on remand is final under Section 410.169.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Robert W. Potts  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Margaret L. Turner  
Appeals Judge